



01-29-03

RCE/2800  
16/80f  
1/2003  
RCE  
2/23/03  
2/23/03  
2/23/03

## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/762,649

Filing Date: April 9, 2001

First Named Inventor: Wolfgang NEIFER

Group Art Unit: 2876

Examiner: Daniel St. Cyr

Attorney Docket Number: 7904.0029

Attorney Customer Number: 22,852

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000). Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114:

a.  Previously submitted

- i.  Consider the amendment(s)/reply after final under 37 C.F.R. § 1.116 previously filed on December 9, 2002.
- ii.  Consider the arguments in the Appeal Brief of Reply Brief previously filed on [Date]
- iii.  Other \_\_\_\_\_

b.  Enclosed:

- i.  Amendment/Reply
- ii.  Affidavit(s)/Declaration(s)
- iii.  Information Disclosure Statement
- iv.  Other \_\_\_\_\_

2. Miscellaneous

- a.  Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of [number] months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b.  Other \_\_\_\_\_

3. Fees

a.  The filing fee is calculated as follows:

|   |  |            |           |
|---|--|------------|-----------|
| i. <input checked="" type="checkbox"/>  | \$750.00 RCE fee required under 37 C.F.R. § 1.17(e)    | 01 FC:1801 | 750.00 CH |
| ii. <input checked="" type="checkbox"/> | Petition for extension of time for ( <u>2 Months</u> ) | 02 FC:1252 | 410.00 CH |
| iii. <input type="checkbox"/>           | Other _____  |            |           |

b.  Please charge \$1,160.00 (\$750 filing fee and \$410 extension fee) to Deposit Account No. 06-0916.

c.  The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

**Signature of Applicant, Attorney, or Agent Required**

|                          |                  |
|--------------------------|------------------|
| Name: Martin F. Majestic | Reg. No.: 25,695 |
|--------------------------|------------------|

|  |                        |
|--|------------------------|
| Signature:  | Date: January 27, 2003 |
|--|------------------------|

**Certificate of Express Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office to Addressee" service under 37 CFR § 1.10, in an envelope addressed to BOX RCE, Commissioner for Patents, Washington, D.C. 20231, on: January 27, 2003. Express Mail Label No. EV 063562563 US

|                      |
|----------------------|
| Name: Linda Phillips |
|----------------------|

|  |                        |
|--|------------------------|
| Signature:  | Date: January 27, 2003 |
|--|------------------------|

RECEIVED  
JAN 31 2003  
TECHNOLOGY CENTER 2800